

Meeting Date: 11/19/08

AGENDA REPORT

City of Santa Clara, California

Agenda Item # YA-5



Date: November 19, 2008
To: City Manager for Council Action
From: Director of Public Works / City Engineer
Subject: Bicycle Advisory Committee Revised Policy Guidelines and Appointment of New Members

EXECUTIVE SUMMARY:

The Bicycle Advisory Committee (BAC), presently chaired by Councilmember Kennedy with Councilmember Moore as an alternate, originated in May 1991 by City Council action to develop safe bicycle lanes on City streets. It is a nine-member committee, including the Chair.

As a result of an increase in membership in 2005, five members' terms are set to expire on December 31, 2008. This leaves only four members to vote, which is less than the required five needed to constitute a quorum for voting on action items. The BAC proposes amending the Policy Guidelines and eliminating the lack of quorum issue by staggering the terms of existing members so no more than three will ever be termed out. The newly proposed terms are as follows: terms for members Charles Eckel and Jennifer Rodriguez will expire on December 31, 2008, terms for members Diane Harrison, Dale Schouten, and David Vernon will expire on December 31, 2009, and terms for members Sally French, Jack Lueder, and John Sullivan will expire on December 31, 2010. The BAC reviewed these proposed revisions at their last meeting on October 22, 2008 and endorsed the revisions. The City Attorney's office has reviewed the revised BAC Policy Guidelines.

According to these revised BAC Policy Guidelines, two members' terms expire December 31, 2008. Both members are eligible for reappointment on the Committee but only member Jennifer Rodriguez expressed interest in serving another term. Also, member David Vernon has decided to vacate his position prior to his term's expiration date of December 31, 2009. His resignation, along with the two expiring terms, creates 3 open positions on the BAC. Applications were received from Rachel He, Edwin Maurer, and Chad Brower expressing interest in joining the Committee.

In order to fill the three vacancies, the BAC members voted to recommend Jennifer Rodriguez and Edwin Maurer to the City Council for appointment to the BAC as voting members. Their term of office will be effective January 1, 2009 and will be three years, expiring December 31, 2011. The BAC also voted to recommend that Chad Brower serve out the remaining portion of David Vernon's term which expires on December 31, 2009.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

The resulting staggered terms for BAC members will allow a sufficient number of members to be available to meet quorum requirements when voting in new members and will enhance continuity. The BAC represents a cross section of Santa Clara's bicycling community, contributing their insight to City staff regarding bicycle issues and projects to enhance bicycle safety. The appointment of the three members will help to continue the excellent work done by the BAC.

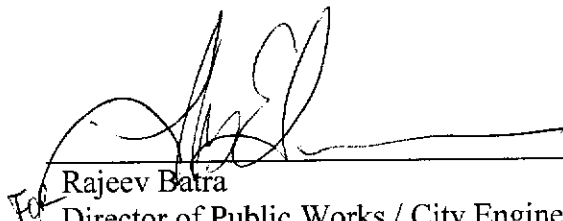
ECONOMIC/FISCAL IMPACT:

The City is required to have an established BAC in order to be eligible for State grant funding for bicycle projects.

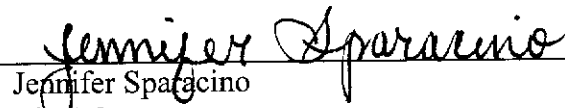
RECOMMENDATION:

That the Council:

1. Approve and adopt the Bicycle Advisory Committee revised Policy Guidelines which create staggered membership terms; and
2. Approve the reappointment of Jennifer Rodriguez and appointment of Edwin Maurer effective January 1, 2009 and expiring December 31, 2011 and Chad Brower to serve out the remaining portion of the term which expires on December 31, 2009 to the Bicycle Advisory Committee to fill the three current vacancies.


For Rajeev Batra
Director of Public Works / City Engineer

APPROVED:


Jennifer Sparacino
City Manager

Documents Related to this Report:

- 1) BAC Policy Guidelines
- 2) BAC roster

City of Santa Clara Bicycle Advisory Committee Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991.

Section 1. Purpose

The purpose of the BAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's recreational and commuter bikeway system. Its intent shall be to encourage recreational and commuter bicycling by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle related projects.

Section 2. Membership

The BAC is comprised of nine (9) regular members as appointed by the City Council. The Chairperson or alternate will be the Mayor or Councilperson designated by City Council and shall be considered a member. The remaining eight (8) members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BAC members must either reside or work in the City of Santa Clara.

Section 3. Term of Office and Removal

The term of office for BAC members will be three years.

Members may be re-appointed but will be considered along with all other new applicants.

To allow for staggered terms, 2 members appointed by City Council in February of 2005 will have a term of office expiring on December 31, 2008, 3 members appointed in September of 2005 will have a term of office expiring on December 31, 2009, and 3 members appointed on March of 2007 will have a term of office expiring on December 31, 2010.

Any members of the BAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term, of the member being replaced, in the same manner as the original appointment.

Section 5. Meetings

The BAC shall hold meetings on the fourth Wednesday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed or additional meetings can be approved by a quorum of the committee. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 6. Quorum

Any five members shall constitute a quorum for voting on action items.

Section 7. Voting

Only the appointed BAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.

Section 8. Duties of BAC to be Advisory Only

It is intended that the BAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 9. Assistance of Staff

The City Manager of the City of Santa Clara shall provide the BAC with such information and staff assistance as the BAC may from time to time request subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BAC.

Section 10. Code of Ethics and Values

The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.

Section 11. Amendments

These guidelines may be amended by a quorum of the BAC membership at any legal BAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this 27th day of August 2008.

PASSED AND ADOPTED by the Santa Clara City Council this _____ day of November, 2008.

CITY OF SANTA CLARA

BICYCLE ADVISORY COMMITTEE

First Name	Last Name	Appointment/Re- appointment dates	Term Expires	Position
Will	Kennedy	January 2007		Councilmember/Committee Chair
Kevin	Moore	January 2007		Councilmember/Alternate Chair
Edwin	Maurer	November 25, 2008	December 31, 2011	Member
Sally	French	March 28, 2007	December 31, 2010	Member
Jack	Lueder	March 28, 2007	December 31, 2010	Member
Jennifer	Rodriguez	November 25, 2008	December 31, 2011	Member
John	Sullivan	March 28, 2007	December 31, 2010	Member
Diane	Harrison	September 27, 2005	December 31, 2009	Member
Dale	Schouten	September 27, 2005	December 31, 2009	Member
Chad	Brower	November 25, 2008	December 31, 2009	Member

As of 10/22/2008